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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,
 Plaintiff,
 v.
 GOOGLE INC.,
 Defendant.

Case No. CV 10-03561 WHA
STIPULATION AND ~~PROPOSED~~
ORDER RE: MOTIONS TO COMPEL
[DKT. 1403 AND 1413]
 Dept. Courtroom 8, 19th Fl.
 Judge: Hon. William Alsup

1 WHEREAS, pursuant to the Court's Order of December 24, 2015 (Dkt. 1407), on
2 January 5, 2016 the parties met and conferred further regarding Oracle's Motion to Compel
3 Compliance and for Sanctions (Dkt. 1403);

4 WHEREAS, during the parties' January 5, 2016 meet and confer, the parties agreed to a
5 compromise designed to resolve both that Motion and another of Oracle's pending discovery
6 motions, the Motion to Compel Deposition Topics 2-4 and 8 (Dkt. 1413); and

7 WHEREAS, Google states that it has agreed to this compromise in an effort to informally
8 resolve discovery disputes without agreeing with the merits of Oracle's pending motions.

9 THEREFORE, it is hereby stipulated and agreed as follows:

10 1. Oracle withdraws its pending Motion to Compel as to the Deposition Topic 8 as
11 discussed in Dkt. 1413 and this stipulation hereby resolves Oracle's pending motion to compel
12 compliance and for sanctions (Dkt. 1403) and its pending motion to compel on Deposition
13 Topics 2-4 (Dkt. 1413).

14 2. Google will produce the documents that are senior-executive level presentations
15 that have been a subject of Oracle's pending Motion to Compel Compliance and for Sanctions
16 (Dkt. 1403), as discussed by the parties. For those presentations to be produced that postdate
17 2013, Google may redact material that it contends to be non-relevant or otherwise protected from
18 production, but Oracle reserves the right to contest any such redactions in a single additional
19 motion to compel, and this opportunity to challenge the redactions is a condition of this
20 stipulation. Google will complete production of the additional documents by January 15, 2016.
21 In the event that a dispute arises regarding Google's redactions, the parties will promptly meet
22 and confer, and any motion contesting the redactions must be filed by January 22, 2016.

23 2. After the documents discussed in paragraph 1 above are produced, Google will
24 present the following two Rule 30(b)(6) witnesses to testify regarding financial information, as
25 well as information within the scope of Topics 2, 3, and 4 of Oracle's Rule 30(b)(6) Deposition
26 Notice to Google (dated November 2, 2015): (a) a financial witness will be produced to testify
27 for up to 3.5 hours, and (ii) Jim Kolotourous from Google's Global Business Group will be
28 produced to testify for up to 5 hours. Google will prepare the witnesses to testify consistent with

1 Judge Alsup's standing order regarding Rule 30(b)(6) deposition preparation, Dkt. 26 at § 23, but
2 Google does not represent that these witnesses have knowledge about the full scope of Topics 2
3 through 4. Oracle withdraws its demand for additional 30(b)(6) testimony with respect to Topic
4 8.

5 3. These additional depositions shall be completed by January 30, 2016, and any
6 further motion to compel regarding any asserted inadequacy of that testimony shall be filed by
7 February 8, 2016.

8
9 Dated: January 6, 2015

10 ANNETTE L. HURST
11 Orrick, Herrington & Sutcliffe LLP

12 By: /s/ Annette L. Hurst

13 Attorneys for Plaintiff
14 ORACLE AMERICA, INC.

15 Dated: January 6, 2015

16 CHRISTA ANDERSON
17 Keker & Van Nest LLP

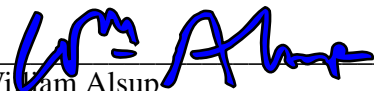
18 By: /s/ Christa Anderson

19 Attorneys for Defendant
20 GOOGLE INC.

21
22 ~~PROPOSED~~ ORDER

23 The foregoing stipulation is approved, and IT IS SO ORDERED.

24
25
26 Date: January 6, 2016.

27 
28 Hon. William Alsup
Judge of the United States District Court